

JANUARY 25, 1993

THE ACTING DIRECTOR OF THE DIVISION OF STATE LANDS & FORESTRY TOOK FORMAL ACTION ON JANUARY 25, 1993, AT 9:30 A.M. IN THE DIVISION OF STATE LANDS & FORESTRY OFFICE, 355 WEST NORTH TEMPLE, 3 TRIAD CENTER, SUITE 400, SALT LAKE CITY, UTAH 84180-1204, ON THE BELOW LISTED MINERAL AND SURFACE BUSINESS MATTERS AS INDICATED.

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MINERAL ESTATE BUSINESS MATTERS

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MINERAL LEASE APPLICATION

INDUSTRIAL SANDS LEASE APPLICATION - APPROVED

Upon the recommendation of Mr. Mansfield, the Acting Director, Kevin Carter, approved the Industrial Sands lease application listed below at a rental of \$1.00 per acre per annum; royalty as provided in the lease form approved by the Board of State Lands and Forestry. The application has been checked by the Minerals Section and found to be in order. The land status has been examined and the lands found to be open and available. The reassessment date for this lease is February 1, 2003.

<u>Mineral Lease Appl. No. 45786</u>	<u>T3N, R8W, SLB&M.</u>	Tooele County
Magnesium Corporation of America	Sec. 32: W $\frac{1}{2}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,	280.00 acres
238 North 2200 West	S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$	
Salt Lake City, UT 84116		

Application Date: January 15, 1993

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TOTAL ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of the leases listed below to Gilbert A. Beirne, Trustee of Gilbert A. Beirne Revocable Trust, 3306 17 Mile Drive, Box 306, Pebble Beach, CA 93953, by JMS Consultants. No override.

LEASE OWNERSHIP: JMS CONSULTANTS

....ML 45759....ML 45760....

INTEREST ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 50% interest in and to the lease listed below to Lancaster Corporation, P.O. Box 8439, Denver, CO 80201, by Andover Partners. No override.

LEASE OWNERSHIP: ANDOVER PARTNERS--50%, AND
LANCASTER CORPORATION--50%

....ML 44205....

INTEREST ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES (CONT'D)

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 50% interest in and to the lease listed below to Chorney Oil Company, 555-17th Street, Suite 1000, Denver, CO 80201, by Andover Partners. No override.

LEASE OWNERSHIP: ANDOVER PARTNERS--50%, AND
 CHORNEY OIL COMPANY--50%

....ML 44202....

OVERRIDING ROYALTY ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillside Drive, Salt Lake City, UT 84117, and John and Beth Holliday (.25%), 12052 Mill Ridge Circle, Sandy, UT 84094, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: BERNICE MALICKE
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45641....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillside Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: JOHN A. KENDA
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45642....

OVERRIDING ROYALTY ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES (CONT'D)

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsglen Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: HARRY ZASLOW
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45642-A....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsglen Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: MELVIN T. KROEPPEL
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45647....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsglen Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: GILBERT A. BEIRNE TRUSTEE GILBERT A. BEIRNE
REVOCABLE TRUST
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45648....

OVERRIDING ROYALTY ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES (CONT'D)

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillside Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: CHARLES J. MURKOWICZ
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45648-A....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillside Drive, Salt Lake City, UT 84117, and Robert and Rebecca Norton (.25%), 1260 West 14600 South, Bluffdale, UT 84065, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: HARRIS W. WOODLEY
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45647-A....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillside Drive, Salt Lake City, UT 84117, and Scott J. Hoonakker (.25%), 1117 Sherman Avenue, Salt Lake City, UT 84105, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: ROBERT DORSEY
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45649....

OVERRIDING ROYALTY ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES (CONT'D)

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsden Drive, Salt Lake City, UT 84117, and Julie Mears (.25%), 4247 South Highway 89, Bountiful, UT 84010, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: PHILLIP LOURA AND PENNELOPE J. LOURA
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45722....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (2%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, and Carlton H. Stowe (.5%), 5234 Hillsden Drive, Salt Lake City, UT 84117, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: PAUL WOODWARD
OVERRIDING ROYALTY: JMS CONSULTANTS--4%

....ML 45722-A....

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsden Drive, Salt Lake City, UT 84117, and John and Lorna Bird (.25%), 9151 South Sandy Creek Circle, West Jordan, UT 84084, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: JMS CONSULTANTS

....ML 45759....

OVERRIDING ROYALTY ASSIGNMENTS--OIL, GAS, AND HYDROCARBON LEASES (CONT'D)

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 4% overriding royalty interest in and to the leases listed below to American Association of Oil & Gas Investors, Inc., (1.75%), 8191 South 700 East, Sandy, UT 84070, Floyd C. Moulton (1%), 6289 South Granada Drive, Salt Lake City, UT 84121, Frank P. Turner (.5%), 1807 East 1700 South, Salt Lake City, UT 84108, Carlton H. Stowe (.5%), 5234 Hillsden Drive, Salt Lake City, UT 84117, and John and Beth Holliday (.25%), 12052 Mill Ridge Circle, Sandy, UT 84094, by JMS Consultants. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: JMS CONSULTANTS

....ML 45760....

INTEREST ASSIGNMENTS--METALLIFEROUS MINERALS LEASES

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of 12.5% interest in and to the leases listed below to John Ramsey Trust, One Parker Square, Suite 400, Wichita Falls, TX 76308, by Sidney S. Gilbert. No override.

LEASE OWNERSHIP: SIDNEY S. GILBERT--62.5%,
HANAGAN PETROLEUM CORPORATION--12.5%,
ROY HOGAN--12.5%, AND
JAMES C. RICHARD--12.5%

....ML 45506....ML 45507....

OVERRIDING ROYALTY ASSIGNMENTS--OIL SHALE LEASES

Upon recommendation of Mr. Bonner, the Acting Director approved the assignment of .20% overriding royalty interest in and to the leases listed below to Shell Frontier Oil and Gas Inc., 900 Louisiana Street, Houston, TX 77002, by Shell Western E&P Inc. The State assumes no responsibility in collecting or distributing overriding royalty.

LEASE OWNERSHIP: NEW PARAHO CORPORATION
OVERRIDING ROYALTY:
SHELL WESTERN E&P INC.--.20%

....ML 42360....ML 42362....ML 42363....ML 42477....ML 42478....ML 42838....
* * * * *

EXPIRATION OF GILSONITE LEASE

The Gilsonite lease listed below has reached the end of its term and expired on the date listed. This lease should be terminated and the acreage offered for lease through the Division's Simultaneous Filing Process.

<u>Lease No.</u>	<u>Lessee</u>	<u>Description</u>	<u>County/Acres</u> <u>Expiration Date</u>
ML 29108	Ziegler Chemical & Mineral Corp.	<u>T10S, R21E, SLB&M.</u> Sec. 36: SW $\frac{1}{4}$ SW $\frac{1}{4}$	Uintah 40.00 acres December 31, 1992

Upon recommendation of Mr. Bonner, the Acting Director, Kevin Carter, approved the expiration of the Gilsonite lease listed above.

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SURFACE ESTATE BUSINESS MATTERS

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GRAZING PERMITS

ASSIGNMENT OF GP 22221

Jay D. and Barbara A. Bowman, Tropic, UT 84776, have requested permission to assign 100% of their interest in the above-referenced grazing permit to Wayne G. Phillips, Escalante, UT 84726. The \$325.00 assignment fee has been submitted.

Upon the recommendation of Ms. Knight, Mr. Carter approved the assignment of GP 22221.

ASSIGNMENT OF GP 22222

Jay D. and Barbara A. Bowman, Tropic, UT 84776, have requested permission to assign 100% of their interest in the above-referenced grazing permit to Wayne G. Phillips, Escalante, UT 84726. The \$49.30 assignment fee has been submitted.

Upon the recommendation of Ms. Knight, Mr. Carter approved the assignment of GP 22222.

GRAZING PERMITS (CONT'D)

ASSIGNMENT OF GP 22441

Jay D. and Barbara A. Bowman, Tropic, UT 84776, have requested permission to assign 100% of their interest in the above-referenced grazing permit to Wayne G. Phillips, Escalante, UT 84726. The \$30.20 assignment fee has been submitted.

Upon the recommendation of Ms. Knight, Mr. Carter approved the assignment of GP 22441.

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EASEMENT

AMENDED EASEMENT NO. 185

Blue Ledge Corporation, c/o United Park City Mines Co., P. O. Box 3178, Park City, Utah, 84060-3178, has requested that Easement No. 185 be amended from a roadway easement with a 30 year easement term, to a perpetual easement for a public road, which is to be dedicated to Park City Municipal Corporation as a public easement (street with customary utilities). This request was evaluated in RECORD OF DECISION NO. 92-1123-AMENDESMT185, which was approved on January 8, 1993. The period for administrative appeals ended on January 22, 1993, with no petition filed.

The applicant has submitted a \$20.00 amendment fee, plus an additional negotiated easement fee of \$1,904.00, which includes a \$500.00 portion paid in lieu of the existing administrative fee, pursuant to R640-40-1800. The applicant will be required to sign an easement amendment, which will include the terms to be amended, plus a provision which makes this amendment subject to Park City's acceptance of the entire Morning Star Estates Subdivision road as a dedicated public easement (street). Further details and evaluation are outlined in the above-referenced record of decision.

Upon the recommendation of Mr. Bagley, the Acting Director, Kevin Carter, approved the amendment of Easement No. 185, as outlined in Record of Decision No. 92-1123-AMENDESMT185 and as described above, with an additional easement fee of \$1,904.00, which includes \$500.00 in lieu of the existing administrative fee; plus a \$20.00 amendment fee; and subject to the completion of a fully executed amendment agreement.

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RIGHTS OF WAY

NAME CHANGE FROM AKZO SALT OF UTAH TO AKZO SALT INC--ROW 2705, ROW 2786, AND ROW 2801.

This office has received evidence that effective December 31, 1992, Akzo Salt of Utah, Inc. has been merged into Akzo Salt Inc., 1428 James Palmer Road, Lake Point, Utah 84074. The \$30.00 fee has been submitted.

Upon recommendation of Ms. Wardle, Acting Director, Kevin Carter, noted the above-described name change.

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SPECIAL USE LEASES

NAME CHANGE FROM AKZO SALT OF UTAH TO AKZO SALT INC--SULA 107, SULA 400, AND SULA 721

This office has received evidence that effective December 31, 1992, Akzo Salt of Utah, Inc. has been merged into Akzo Salt Inc., 1428 James Palmer Road, Lake Point, Utah 84074. The \$30.00 fee has been submitted.

Upon recommendation of Ms. Wardle, the Acting Director, Kevin Carter, noted the above-described name change.

SPECIAL USE LEASE AGREEMENT NO 956

APPLICANT'S NAME & ADDRESS:

Salt Lake City Cellular Telephone Co.
55 North 300 West, Triad #5, P-50
Salt Lake City, UT 84180

LEGAL DESCRIPTION:

TOWNSHIP 20 SOUTH, RANGE 4 WEST, SLB&M

A part of the north half of Section 32, T20S, R4W, Beginning at the North Quarter corner of said section 32 from which the northwest corner of said section 32 bears west 2815.81 ft. and running thence south 166.80 ft., and east 14.40 ft to the true point of beginning, running thence south 46°44' east 50.00 ft., thence south 43°16' west 50.00 ft., thence north 46°44' west 50.00 ft., thence north 43°16' east 50.00 ft. to the true point of beginning.

COUNTY: Millard ACRES: .06 FUND: School

SPECIAL USE LEASES (CONT'D)

SPECIAL USE LEASE AGREEMENT NO 956 (cont'd)

PROPOSED ACTION:

The applicant is requesting a lease for a telecommunication site as part of a network to provide service from Salt Lake City to Southern Utah.

RELEVANT FACTUAL BACKGROUND:

The proposed lease is on a site that has been designated and approved by the Board of State Lands and Forestry as a telecommunication site location.

This site currently has telecommunication facilities on it operated by Millard County. Initial consultation with the Division Archeologist and his review of documents submitted by State History relative to this site resulted in the determination that a cultural resource survey would not be required. Letters were sent to the existing users and the grazing permittee. No comments were received from either the existing users on the site or the existing grazing permittee.

CRITERIA FOR EVALUATION:

Consultation with the State Historic Preservation Officer (SHPO) is required prior to approval of trust land use and all other land uses. Based on these consultations, the Division must decide whether or not to conduct or have conducted a cultural resources survey, whether or not any sites discovered by such a survey are eligible for inclusion on the National or State Register of Historic Places, whether or not the proposed use will have an adverse effect on such sites, and whether or not a mitigation plan must be prepared. This process is described in R640-60 as follows:

R640-60-4 Identification and Evaluation of Historic Properties (1/30/92)

1. The Division shall consult the State Historic Preservation Officer (SHPO) regarding available information on cultural resources prior to approval of trust land uses and all other land uses. Based on comments from the SHPO, the division shall decide whether or not collection of more information is necessary to identify and evaluate cultural resources. In making this decision the division shall consider the likelihood of existence of cultural resources and the degree to which cultural resources, if present, may be adversely affected by the state action.

SPECIAL USE LEASES (CONT'D)

SPECIAL USE LEASE AGREEMENT NO 956 (cont'd)

R640-100-200(1)(a) requires that one or more of the following plans be implemented:

- (a) General Management Plans
- (b) Comprehensive Management Plans
- (c) Site-specific Plans
- (d) Resource Plans

R640-100-300 gives the Division guidance as to what type of plan should be required. Paragraph 2 of this rule indicates that site-specific planning is initiated either by:

- (a) an application for a trust land use or a sovereign land use, or
- (b) the identification by the Division of an opportunity for commercial gain in a specific area.

A site-specific plan is defined in R640-1-2 as follows:

Plans prepared for state lands which provide direction for specific actions. Site-specific plans shall include, but not be limited to:

1. Records of Decision in either summary or narrative form.
2. Board action that designated specific parcels of land for specific use(s) or designation.

Telecommunication site leases are exempt from the narrative record of decision process if the following conditions are met:

1. They are within an approved telecommunication site location.
2. No negative comments are received from current users at the location.

SPECIAL USE LEASES (CONT'D)

SPECIAL USE LEASE AGREEMENT NO 956 (cont'd)

R640-100-400(1) Requires an evaluation of the following when conducting a site-specific plan.

1. When the Division conducts site-specific planning it shall consider:
 - (a) a comparative evaluation of the commercial gain potential of the proposed use with competing or existing uses;
 - (b) the effect of the proposed use on adjoining state lands;
 - (c) an evaluation of the proposed use or action with regard to natural and cultural resources, if appropriate;
 - (d) the notification of, and environmental analysis of, the proposed use provided by the public, federal, state, and municipal agencies through the Resource Development Coordinating Committee (RDCC) process; and
 - (e) any further notification and evaluation (i.e. cultural resource surveys, appraisals to determine fair market value, etc.) as required by applicable rules.

R640-30-200(3) - establishes standard terms for leases:

3. The Division shall issue leases for the term most consistent with land management objectives found in R640-2. Such term of a lease will not normally be for a period longer than specified below for a particular lease type.
 - (a) Military 10 years
 - (b) Agricultural 20 years
 - (c) Recreational 20 years
 - (d) Telecommunications 20 years
 - (e) Commercial 51 years
 - (f) Industrial 51 years
 - (g) Residential 51 years
 - (h) Governmental (Other than Military) 51 years

SPECIAL USE LEASES (CONT'D)

SPECIAL USE LEASE AGREEMENT NO 956 (cont'd)

R640-30-400 - Requires the Division to establish lease rates based on Fair Market Value.

1. The Division shall receive at least fair market value for surface leases. Fair market value of the subject property shall be determined by the Division based upon a market analysis including, but not limited to:
 - (a) income-producing ability of the highest and best use of the property; and
 - (b) a market study of comparable values of similar properties.

EVALUATION OF FACTS:

R640-60-4 requires initial consultation with State History to determine the possible impacts on cultural resources of any proposed trust land use. This initial consultation was completed pursuant to rule. It was determined that a cultural resource survey would not be required. This determination was based on comments received from State History that indicated that the potential for sites was minimal, and because of the fact that the site is already developed for telecommunication sites.

R640-100-200 discusses four types of plans, one of which is a site-specific plan. The site-specific plan in this case was initiated by an application for a trust land use, as indicated in R640-100-300. This rule also indicates that these site-specific plans can either be summary or narrative form. As indicated above, this type of lease is exempt from the narrative Record of Decision process if the site is within an approved location, which this site is. It was approved by the Board of State Lands and Forestry as a telecommunication site location on August 14, 1992. Millard County is the only current user on the site and they did not comment on the proposal.

An evaluation pursuant to R640-100-400(1) indicates the following:

- (a) The commercial gain potential of the proposed use is far greater than the existing use for grazing. The existing use for grazing will still be allowed as this lease will only impact .06 acres of land. There are no other competing uses for this land to evaluate.
- (b) This use will have a positive effect on the adjoining land. The development of this site will further enhance the properties value as a telecommunication site location. The impacts to the remaining land in this section should be minimal because the site has already be developed by Millard County for their TV and radio translators. The developed site consists of less than 10 acres and is located on the top of the mountain.

SPECIAL USE LEASES (CONT'D)

SPECIAL USE LEASE AGREEMENT NO 956 (cont'd)

- (c) As indicated earlier, it has been determined that a cultural resource inventory will not be required. This proposal will not disturb any ground that has not already been disturbed for the existing sites.
- (d) This site was previously reviewed by RDCC as part of the processing of SULA 671. There were no comments received from that review.
- (e) No further notification or evaluation is required by rule for Telecommunication site leases.

Pursuant to R640-30-200(3)(d) This lease will have a term of twenty (20) years with a five-(5) year review.

A market analysis completed pursuant to R640-30-400(1)(b) indicates that a fee of \$1500.00 per year is in line with current Division fees for this type of lease.

Upon recommendation of Mr. Brown, the Acting Director, Kevin Carter, approved SULA 956, with a yearly fee of \$1500, plus a \$50.00 application fee. The lease term is 20 years with a five-year review clause. Based on the above evaluation, this summary will constitute the Record of Decision.

SPECIAL USE LEASE 110 (TWENTY FIVE-YEAR REVIEW)

Boy Scouts of America, National Parks Council, P.O. Box 106, Provo, Utah 84603. The above-numbered SULA was reviewed for its 25-year review under Record of Decision No. 92-0810-SULA110, approved by Director Mitchell on December 22, 1992. Based on this review, the rental will be increased from \$100/year to \$11,700/year based on the following rental adjustment schedule:

Sept. 1, 1993	\$2,320.00
Sept. 1, 1994	4,640.00
Sept. 1, 1995	6,960.00
Sept. 1, 1996	9,280.00
Sept. 1, 1997	11,700.00

This adjustment is effective September 1, 1993. The next reassessment date for SULA 110 is September 1, 2015.

This item was approved by Director Mitchell on December 22, 1992, and is submitted by Mr. Fullmer for accounting and record-keeping purposes.

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JANUARY 25, 1993

MINERAL LEASES

CANCELLATION OF ML 39844 - SAND & GRAVEL

The Division has contacted Utah Department of Transportation, Attn: Jerry Ryan, 4501 South 2700 West, West Valley City, Utah 84119, regarding the conversion of the above-referenced lease to a materials permit. The lessee has agreed to convert the lease to a materials permit (MP 127), which conversion is being submitted in a separate action with the same Director's Minutes date. Upon the approval of MP 127, ML 39844 should be cancelled.

Upon the recommendation of Mr. Tripp, the Acting Director, Kevin Carter, approved the above-described cancellation.

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MATERIALS PERMITS

MP 127 (CONVERSION OF ML 39844)

Utah Department of Transportation, Attn: Jerry Ryan, 4501 South 2700 West, West Valley City, Utah 84119, has agreed to the request of the Division, that in accordance with R640-150-10, Mineral Lease No. ML 39844 be converted to Materials Permit No. MP 127. The permittee has submitted the requested rentals and the required materials permit agreement. The conversion is to be made effective January 1, 1992, with an expiration date of December 31, 1996. As staff initiated this action, no amendment or application fee was requested.

Upon the recommendation of Mr. Tripp, the Acting Director, Kevin Carter, approved the above-described conversion.

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MATERIALS PERMITS (CONT'D)

MATERIALS PERMIT NO. 121

NAME OF LESSEE:

Utah Department of Transportation
Attn: Jerry Ryan
4501 South 2700 West
West Valley, Utah 84119

LESSEE #: 356
ROD 91-1214-MP121
APPROVAL DATE: 07/16/92

LEASE TYPE:	<u>SDGV</u>	FUND:	<u>School</u>
DATE OF APPLICATION:	<u>05/24/91</u>	COUNTY:	<u>Uintah (24)</u>
BEGINNING DATE:	<u>11/01/92</u>	TERM OF LEASE:	<u>5 years</u>
EXPIRATION DATE:	<u>10/31/97</u>	RENTAL:	<u>\$800.00</u>
DUE DATE:	<u>1101</u>	APPLICATION FEE:	<u>\$ 50.00</u>
REASSESSMENT DATE:	<u>04/30/97</u>	ADVERTISING FEE:	<u>\$136.35</u>
ACRES:	<u>80.00</u>	TOTAL AMT COLLECTED:	<u>\$986.35</u>

LEGAL DESCRIPTION:

Township 5 South, Range 20 East, SLB&M
Section 36: SW4NW4, NW4SW4

COUNTY: Uintah

ACRES: 80.00

COMMENTS: Royalty rate is \$.25 cents per cubic yard as outlined in the permit.

MP 121 was approved by Director Mitchell on July 16, 1992, and is submitted on these minutes by Mr. Bagley for record-keeping purposes.

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MATERIALS PERMITS (CONT'D)

MATERIALS PERMIT NO. 124

NAME OF LESSEE:

Uintah County
152 East 100 North
Vernal, Utah 84078

LESSEE #: 4923
ROD 91-1212-MP124
APPROVAL DATE: 08/19/92

LEASE TYPE:	<u>SDGV</u>	FUND:	<u>School</u>
DATE OF APPLICATION:	<u>09/16/91</u>	COUNTY:	<u>Uintah (24)</u>
BEGINNING DATE:	<u>12/01/92</u>	TERM OF LEASE:	<u>5 years</u>
EXPIRATION DATE:	<u>11/30/97</u>	RENTAL:	<u>\$210.00</u>
DUE DATE:	<u>1201</u>	APPLICATION FEE:	<u>\$ 50.00</u>
REASSESSMENT DATE:	<u>05/31/97</u>	ADVERTISING FEE:	<u>\$ 75.00</u>
ACRES:	<u>20.27</u>	TOTAL AMT COLLECTED:	<u>\$335.00</u>

LEGAL DESCRIPTION:

Township 4 South, Range 21 East, SLB&M
Sec. 30: Within the N2SE4

Beg at the SE cor of the NE4SE4, Sec. 30, T4S, R21E, SLB&M, th S 87°38'26" W 1331.37 ft. to the SW cor of the NE4SE4 said Sec. 30; th N 2°06'24" W 661.26 ft.; th N 87°30'02" E 1327.33 ft.; th S 2°27'27" W 664.50 ft. to the pob.
(See Maps - Exhibit A)

COUNTY: UINTAH

ACRES: 20.27, m/l

COMMENTS: A royalty rate of \$.25 cents per cubic yard is to be paid as outlined in the permit agreement. As a result of this approval, Materials Permit No. 87 (also issued to the above-referenced lessee) is to be cancelled. The area authorized under MP 87 is now included in the area under MP 124, therefore MP 87 is no longer needed as was addressed in the record of decision.

MP 124 was approved by Director Mitchell on August 19, 1992, and is submitted on these minutes by Mr. Bagley for record-keeping purposes.

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MATERIALS PERMITS (CONT'D)

MATERIALS PERMIT NO. 126

NAME OF LESSEE:

Warhawk Enterprises, Inc.
PO BOX 1547
Vernal Utah 84078

LESSEE #: 4466
ROD 91-1210-MP126/MP122
APPROVAL DATE: 10/09/92

LEASE TYPE:	<u>SDGV</u>	FUND:	<u>School</u>
DATE OF APPLICATION:	<u>11/27/91</u>	COUNTY:	<u>Uintah (24)</u>
BEGINNING DATE:	<u>12/01/92</u>	TERM OF LEASE:	<u>5 years</u>
EXPIRATION DATE:	<u>11/30/97</u>	RENTAL:	<u>\$200.00</u>
DUE DATE:	<u>1201</u>	APPLICATION FEE:	<u>\$ 50.00</u>
REASSESSMENT DATE:	<u>05/31/97</u>	ADVERTISING FEE:	<u>\$124.20</u>
ACRES:	<u>80.00</u>	TOTAL AMT COLLECTED:	<u>\$374.20</u>

LEGAL DESCRIPTION:

Township 5 South, Range 22 East, SLB&M
Section 30: NE4 of Lot 4, NW4SES4SW4

COUNTY: Uintah

ACRES: 20.00m/1

COMMENTS:

Royalty of \$.40 per cubic yard to be paid as outlined in the permit.

MP 126 was approved by Director Mitchell on October 9, 1992, and is submitted on these minutes by Mr. Bagley for record-keeping purposes.

CANCELLATION OF MATERIALS PERMIT NO. 87

Materials Permit No. 87 (MP 87), is issued to Uintah County, 152 East 100 North, Vernal, Utah 84078. This action to cancel the permit is necessary because the area encompassed by MP 87 is now included within a larger permit area authorized by MP 124, also issued to Uintah County. The lessee has agreed to this action, and it was addressed in record of decision no. 91-1212-MP124. The effective date of the cancellation is 12-31-92. There is no refund of any portion of the paid rentals.

Upon recommendation from Mr. Bagley, the Acting Director, Kevin Carter, approved the above-described cancellation of MP 87.

PREDESIGNATIONS

PREDESIGNATION NO. 40 - LIST

The following-described tracts of land were designated by the Board of State Lands and Forestry on December 18, 1986, as the Small Tract Sale List. Division records should be noted accordingly.

Township 2 South, Range 1 West, USB&M

Sec. 30: Three 1-acre lots (Roosevelt Municipal Airport)

Township 6 North, Range 2 West, SLB&M

Sec. 36: Lot 1 - 2.82 acres (Highland Drive, Ogden)

Township 4 South, Range 1 East, SLB&M

Sec. 36: 2.00 acres (Highland, UT)

Township 15 South, Range 10 East, SLB&M

Sec. 5: 1.25 acres (Four Mile Hill, Price)

Township 23 South, Range 3 West, SLB&M

Sec. 35: 5.00 acres (Salina City Land Fill)

Township 1 North, Range 1 West, SLB&M

Sec. 34: 5.26 acres (North Temple)

Township 41 South, Range 13 West, SLB&M

Sec. 32: Three lots, 3.21 acres (Hurricane Industrial Park)

Township 35 South, Range 11 West, SLB&M

Sec. 35: 1/4 acre lots (Fiddler's Canyon Subdivision)

Township 13 South, Range 10 East, SLB&M

Sec. 19: 3.00 acres (Helper City)

Township 23 South, Range 3 West, SLB&M

Sec. 36: 4.60 acres (Richfield City/Wendover Exchange)

Township 2 South, Range 1 West, SLB&M

Sec. 11: .14 acre (54th South Jordan River)

Township 3 North, Range 1 East, SLB&M

Sec. 19: 4.69 acres (Farmington)

Township 3 North, Range 1 West, SLB&M

Sec. 36: 12.00 acres (Farmington Bay)

Township 6 North, Range 2 West, SLB&M

Sec. 36: .32 acre within NW $\frac{1}{4}$ SE $\frac{1}{4}$ (Abandoned RR Oregon Short)

Township 36 South, Range 9 West, SLB&M

Sec. 2: Lots 13-16 - 3.60 acres (Brianhead Resort)

PREDESIGNATIONS (CONT'D)

PREDESIGNATION NO. 40 - LIST (cont'd)

Township 1 North, Range 1 West, SLB&M
Sec. 34: Part NW $\frac{1}{4}$ SE $\frac{1}{4}$, 10.00 acres (Salt Lake)

Township 9 North, Range 11 West, SLB&M
Sec. 36: Lot 1, 8.02 acres (Box Elder)

Township 15 North, Range 8 East, SLB&M
Sec. 33: Lot 1, 2.45 acres; Lot 2, 7.15 acres;
Lot 3, 7.58 acres (Rich)

Township 1 South, Range 2 East, SLB&M
Sec. 18: Lot 5, 10.15 acres (Salt Lake)
Sec. 6: Lot 6, 10.00 acres (Salt Lake)

Township 2 South, Range 6 West, SLB&M
Sec. 17: Lot 8, 0.46 acre (Tooele)

Township 3 South, Range 3 West, SLB&M
Sec. 21: Lot 29, 0.16 acre; Lot 30, 0.20 acre (Tooele)
Sec. 28: Lot 20, 0.55 acre (Tooele)

Township 6 South, Range 21 East, SLB&M
Sec. 32: Lot 8, 1.50 acres; Lot 9, 3.50 acres (Uintah)

Township 17 South, Range 18 West, SLB&M
Sec. 2: Lot 10, 0.03 acre (Tooele)

Township 10 South, Range 12 East, SLB&M
Sec. 32: Lot 1, 0.14 acre; Lot 2, 2.92 acres (Duchesne)

Township 14 South, Range 11 West, SLB&M
Sec. 36: Lot 7, 0.04 acre, Lot 8, 1.62 acres;
Lot 9, 14.70 acres (Juab)

Township 17 South, Range 26 East, SLB&M
Sec. 16: Lot 1, 7.76 acres; Lot 2, 8.03 acres;
Lot 3, 7.81 acres; Lot 4, 7.53 acres

Township 21 South, Range 16 East, SLB&M
Sec. 7: W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$ (Emery)

Township 21 South, Range 16 East, SLB&M
Sec. 27: Lot 4, 16.50 acres (Emery)

Township 22 South, Range 16 East, SLB&M
Sec. 5: Lot 14, 7.83 acres (Emery)

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PREDESIGNATIONS (CONT'D)

PREDESIGNATION NO. 40 - LIST (cont'd)

Township 23 South, Range 16 East, SLB&M

Sec. 2: Lot 8, 4.00 acres; Lot 9, 14.00 acres (Grand)
Sec. 36: Lot 1, 1.88 acres (Grand)

Township 24 South, Range 5 West, SLB&M

Sec. 3: Lot 2, 20.65 acres (Millard)

Township 26 South, Range 20 East, SLB&M

Sec. 25: Lot 3, 23.41 acres (Grand)
Sec. 36: Lot 1, 6.71 acres (Grand)
Sec. 13: Lot 4, 0.44 acre (Grand)
Sec. 24: Lot 1, 0.55 acre (Grand)

Township 26 South, Range 22 East, SLB&M

Sec. 17: Lots 10, 11, 12, within $SE\frac{1}{4}NW\frac{1}{4}$ & $NE\frac{1}{4}SW\frac{1}{4}$, 1.86 acres
Sec. 27: Within $NE\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$, 9.21 acres (Grand)

Township 26 South, Range 7 West, SLB&M

Sec. 2: Lot 5, 8.50 acres; Lot 6, 8.6 acres;
Lot 10, 8.6 acres; Lot 11, 8.6 acres

Township 38 South, Range 11 West, SLB&M

Sec. 19: Lot 3, 13.05 acres (Iron)
Sec. 30: Lot 1, 13.15 acres (Iron)

Township 40 South, Range 24 East, SLB&M

Sec. 32: Part $SW\frac{1}{4}SE\frac{1}{4}$, 20.28 acres (San Juan)

Township 23 South, Range 3 West, SLB&M

Sec. 35: 10.00 acres (Richfield City Golf Course)

Township 23 South, Range 17 East, SLB&M

Sec. 16: Lot 1, 0.14 acre; Lot 2, 7.88 acres (Grand)

This item was submitted by Ms. Durrant for record-keeping purposes.

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SALES

PRE SALE NO. 6846

APPLICANT'S NAME AND ADDRESS:

Davis County
P.O. Box 618
Farmington, UT 84025

LEGAL DESCRIPTION:

Beginning at a point 952.38 ft E from the NW corner of the SW quarter of Sec. 18, T3N, R1E, SLM; S 20°30' W 900.9 ft, E 481.8 ft, N 30°30' E 125 ft, N 19° E 225 ft, N 18°30' E 554 ft, more or less, to N line of Blk 16, Plat BC W 485.1 ft, more or less to beginning. Containing, more or less, 9.513 acres. (Main Parcel - Farmington Pond)

ALSO,

Beginning at the SW corner of E. E. Manfull Land in Lot 7, Blk 16, Plat BC, Farm TS Sur; E Along said land 60 ft, N 8° W 225 ft, N 21° 50' E 360 ft, N 50° E 85 ft, N 18°30' E 181.5 ft, W 92 ft, S 21°50' W 596 ft, S 8° E 241.5 ft to beginning. Containing less to W. O. Mayfield 1.13 acres. (Access Road)

ALSO,

Beginning 1437.5 ft E, S 20°32' W 907.5 ft, from NW corner of SW quarter of Sec. 18, T3N, R1E, SLB&M; W 152.2 ft, S 18°30' W 181.5 ft, S 50°, W 85 ft, S 21°50', W 190 ft, N 40°36', E 146.3 ft, N 48°39', E 107.4 ft, N 34°42', E 268 ft to beginning. Containing .65 acres. (Access Road)

ALSO,

Beginning at a point on the W side of Utah State Hwy 91, at a point which is 747 ft S from the NE corner of Blk 11, Plat BC Farm TS Sur; (Being in Sec. 19, T3N, R1E, SLB&M); thence W 1077.88 ft; thence S 4°30' E 235.4 ft; thence N 82°10' E 595 ft; thence S 33 ft, E 470 ft. to W line of said State Hwy; thence N 186.7 ft along said W line of said Hwy to the point of beginning. Containing 4.69 acres, more or less. (Woodland Park Parcel)

COUNTY: Davis

Acres: 15.983

FUND: None

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SALES (CONT'D)

PRE SALE NO. 6846 (cont'd)

PROPOSED ACTION:

The applicant requests that the Division convey the above-described acreage to Davis County.

RELEVANT FACTUAL BACKGROUND:

The subject properties were acquired in the 1920's and 1930's for flood control purposes. The State Land Board was given responsibility for flood control activities by the Legislature in Chapter 37, Section 557x, Session Laws of Utah 1931.

This authority was used in conjunction with Davis County to acquire at least one of the above-described parcels in a condemnation action. The other parcels were deeded to the State Land Board for flood control purposes.

CRITERIA FOR EVALUATION:

Section 65A-12-1 discusses the Board's flood control responsibilities. 65A-12-1(2) specifically authorizes the Board to acquire and dispose of land for flood control purposes:

(2) For the purpose of controlling and preventing floods, the board may cooperate with public and private entities. The board may authorize construction of necessary control works on a basis of equitable participation and for these purposes may acquire any additional lands, necessary for the control or the prevention of the floods, either by purchase, exchange, lease, condemnation, or gift. The board may transfer these lands to any existing agencies or agencies created to maintain prevention or control works.

Counties, pursuant to Section 17-8-5.5, are authorized to acquire land for flood control purposes:

The board of county commissioners may also provide by ordinance for the protection and use of flood channels and present flood plains on rivers, streams, and canals located within the county and the incorporated municipalities in the county and may establish by ordinance the boundaries of these flood channels and present flood plains. The board of county commissioners may acquire and hold, in behalf of the county, by gift, purchase, such lands, rights of way, easements, or other interests in property within the established boundaries of these flood channels and present flood plains. Flood plain as used herein means the lands along the course of the river or stream which is periodically flooded and for which flood control protective works would normally be provided or desirable.

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SALES (CONT'D)

PRE SALE NO. 6846 (cont'd)

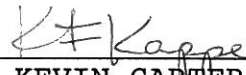
EVALUATION OF FACTS:

The subject properties are located in designated flood control areas. These areas have been flooded in the past and are currently the location of flood control structures operated and maintained by Davis County.

Upon recommendation of Mr. Wilcox, the Acting Director, Kevin Carter, approved the above-described application for transfer of flood control lands. No fees or other costs will be required. The deed will be conditional on the property's use for flood control purposes.

* * * * *

<u>INTEREST RATE</u>	<u>CURRENT YEAR</u>	<u>YEAR AGO</u>
Base Rate	6.00	6.50



FOR KEVIN CARTER, ACTING DIRECTOR
DIVISION OF STATE LANDS & FORESTRY



CANDEE H. PENMAN, SECRETARY

ARCHIVES APPROVAL NO. 7900209